

### Remarks

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

Pursuant to the Examiner's requirement, the title of the invention has been changed so as to be clearly indicative of the invention to which the claims are directed.

The specification has been reviewed and revised to make a number of editorial revisions. No new matter has been added by these revisions.

Substitute Figures 16 and 74, which include the amendments approved by the Examiner, are enclosed herewith.

Claims 1-23 have been rejected under 35 U.S.C. §102(e) as being anticipated by Yoshida (US 5,689,704).

Claims 1-23 have been canceled without prejudice or disclaimer to the subject matter contained therein. Claims 24-33 have been added to further distinguish the present invention from the reference relied upon in the rejection. The above-mentioned rejection is submitted to be inapplicable to the new claims for the following reasons.

Claim 24 is patentable over Yoshida, since claim 24 recites a semiconductor memory card storing:

an audio sequence in which a plurality of audio objects are arranged;

resume information including a type 1 resume position set according to a user operation, and including, using time information, a type 2 resume position that was automatically set when playback of the audio sequence last stopped; and

a plurality of pieces of entry information, each of which is respectively associated with a different audio object, each piece of entry information showing at least one entry position in the respectively associated audio object, adjacent entry positions being separated by an interval equivalent to y seconds,

wherein each audio object includes a plurality of audio frames,

each audio frame has a reproduction time of x seconds and comprises a header part and a data part, the data part having been compressed by a variable-length encoding method, and

the y seconds are not less than twice the x seconds.

Yoshida fails to disclose or suggest a number of the features recited in claim 24.

Yoshida discloses an audio recording/playback device 30 for use with a recording medium (disc) 1. In order to read data from and write data to the disc 1, the device 30 has a number of operating keys, including a recording key 51, a playback key 52, a pause key 53, a stop key 54, a music title input mode key 57, a disk title input mode key 58, a data input mode key 59, ten numeral keys 61, a display mode key 62, an enter key 63, an interactive mode key 64, and interaction keys 65, 66.

The disc 1 has a table of contents (TOC) region and a region in which the audio data is stored. If the disc 1 is a writable disc, there are two possible data regions of the TOC region. The first data region (P-TOC sectors 0-4) is used as necessary to store information that is recorded prior to end user receiving the disc and the second data region (U-TOC sectors 0-4) is used as necessary to store information generated by the end user.

The P-TOC sector 0 includes a header, a corresponding table indicating data section containing table pointers, and a management table section containing parts tables. Each of the table pointers points to a corresponding parts table. Each of the parts tables contains a start address, an end address and mode information for a segment of the audio data stored in the disc 1. Therefore, the device 30 can access the parts tables via the table pointers to locate the respective segments of the audio data.

The P-TOC sector 1 is similar to the P-TOC sector 0 and has a character table data indicating section, instead of the corresponding table indicating data section, containing table pointers and a character table section, instead of the table section, containing parts tables. Each of the table pointers points to a corresponding parts table. Each of the parts tables contains a track name for a segment of the audio data stored in the disc 1. Therefore, the device 30 can access the parts table via the table pointers to determine the track names for the respective segments of the audio data.

The U-TOC sector 0 and the U-TOC sector 1 are similar to the P-TOC sector 0 and the P-TOC sector 1, respectively, but the information contained therein can be set by the user via the device 30.

It is also possible to store commands in P-TOC sectors 1 or 4 and/or U-TOC sectors 1 or 4, depending on whether the commands are predefined or set by the user, which control the device 30 based on interaction between the disc 1 and the user. An

example of the use of commands is that upon loading of the disc 1 into the device 30, the device 30 would display a question to the user as to the type of music to which the user would prefer to listen. Once the user makes this selection, the commands would then control the device 30 to only play songs on the disc 1 that correspond to that type of music by setting up the table pointers to achieve this. (See column 3, lines 49-56; column 5, line 60 - column 9, line 52; column 10, line 61 - column 13, line 17; and Figures 1-6).

Based on the above discussion, it is apparent that the device 30 of Yoshida has the pause key 53 and the stop key 54 that allow the playback of audio data to be suspended and presumably resumed at the same position where the suspension took place. Further, commands can be stored on the disc 1 that cause the device 30 to jump between sections of audio information stored on the disc 1 via the table pointers in a user interactive mode. However, neither of these features corresponds to a semiconductor memory card storing resume information including, using time information, a type 2 resume position that was automatically set when playback of the audio sequence last stopped.

While the device 30 does have the pause and stop keys 53, 54 which suspend the playback of the audio data and appear to allow the playback of the audio to be resumed at the point where it was previously suspended, there is no disclosure or suggestion in Yoshida that the point of suspension is stored on the disc 1. Instead, the point of suspension appears to only be stored in the device 30. Further, there is no indication that the point of suspension stored in the device 30 is stored using time information.

In addition, while the disc 1 does have the table pointers, used in the commands, that point to different sections of audio data stored on the disc 1, all of these pointers rely on the start and end addresses stored in the respective parts tables and are not stored using time information. One of the benefits that the present invention has over Yoshida is that by storing the type 2 resume position using time information, instead of address information, on the semiconductor memory card is that if the information is copied from the semiconductor memory card onto another medium, the type 2 resume position will still be valid. On the other hand, address information will no longer be valid because the other medium will most likely store the information at different addresses thereon.

Yoshida also fails to disclose or suggest that the disc 1 has a plurality of pieces of entry information, each of which is respectively associated with a different audio object,

each piece of entry information showing at least one entry position in the respectively associated audio object, adjacent entry positions being separated by an interval equivalent to  $y$  seconds. Yoshida does disclose that the parts tables correspond respectively to the table pointers which contain start and end addresses for the segments of audio data and that commands for selectively playing segments of the audio data based on the addressed are stored in the disc 1. However, none of these features of Yoshida correspond to the entry positions recited in claim 24 in which adjacent entry positions are separated by an interval equivalent to  $y$  seconds. There is no disclosure in Yoshida that any of the information stored in the disc 1 is related based on the time domain.

Additionally, claim 24 recites that each audio object stored in the semiconductor memory card includes a plurality of audio frames, each audio frame has a reproduction time of  $x$  seconds and comprises a header part and a data part, the data part having been compressed by a variable-length encoding method, and the  $y$  seconds of the  $y$  second interval between adjacent entry positions are not less than twice the  $x$  seconds. Since Yoshida fails to suggest or disclose entry positions as discussed above, it is apparent that Yoshida necessarily fails to disclose or suggest these features of claim 24. As a result, Yoshida fails to disclose or suggest the present invention as recited in claim 24.

Claim 28 is also patentable over Yoshida, since claim 28 recites, in part, a playback apparatus for a semiconductor memory card that stores resume information including a resume position for use when playback of an audio sequence resumes within the audio sequence and a plurality of pieces of entry information, each of which is respectively associated with a different audio object, each piece of entry information showing at least one entry position in the respectively associated audio object, adjacent entry positions being separated by an interval equivalent to  $y$  seconds, the playback apparatus including a playback unit operable to read the resume information from the semiconductor memory card and play back the audio sequence starting from the resume position shown by the resume information when a receiving unit has received a second playback operation, wherein the playback unit, when resuming a playback from an audio object, (a) detects, when the audio object has a plurality of entry positions, an entry position that is before and closest to the resume position, and (b) detects an audio frame

corresponding to the resume position by referring to header parts of audio objects after the detected entry position.

As discussed above, Yoshida fails to disclose or suggest storing resume information on the disc 1 and also fails to disclose or suggest entry positions for audio objects. Therefore, Yoshida fails to disclose or suggest the invention as recited in claim 28.

As for claim 31, it is patentable over Yoshida for the same reasons as set forth above in support of claim 28. That is claim 31, like above claim 28, recites, in part, a playback method for a semiconductor memory card that stores resume information including a resume position for use when playback of an audio sequence resumes within the audio sequence and a plurality of pieces of entry information, each of which is respectively associated with a different audio object, each piece of entry information showing at least one entry position in the respectively associated audio object, adjacent entry positions being separated by an interval equivalent to  $y$  seconds, the playback method including a playback operation of playing back the audio sequence starting from the resume position shown by the resume information when a receiving operation has received a second playback operation, wherein the playback operation, when resuming a playback from an audio object, (a) detects, when the audio object has a plurality of entry positions, an entry position that is before and closest to the resume position, and (b) detects an audio frame corresponding to the resume position by referring to header parts of audio objects after the detected entry position, which features are not disclosed or suggested in Yoshida.

Claim 30 is patentable over Yoshida, since claim 30 recites a recording apparatus having, in part, a recording unit operable to specify, when a received operation is a stop operation, a resume position based on a playback time corresponding to a playback position where a user made the stop operation, the resume position showing where playback of an audio sequence should be resumed, and record resume information including the resume position onto a semiconductor memory card. As discussed above, Yoshida fails to disclose or suggest recording resume information on the disc 1. As a result, Yoshida fails to disclose or suggest the present invention as recited in claim 30.

As for claim 33, it is patentable over Yoshida for the same reasons as set forth above in support of claim 30. That is claim 33, like above claim 30, recites, in part, a recording method having, in part, specifying, when a received operation is a stop operation, a resume position based on a playback time corresponding to a playback position where a user made the stop operation, the resume position showing where playback of an audio sequence should be resumed, and recording resume information including the resume position onto a semiconductor memory card, which features are not disclosed or suggested in Yoshida.

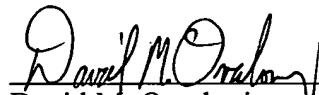
Because of the above mentioned distinctions, it is believed clear that claims 24-33 are not anticipated by allowable over Yoshida. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of invention would not have been motivated to modify Yoshida or to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in claims 24-33. Therefore, it is submitted that claims 24-33 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The Examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

Respectfully submitted,

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